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Art Unit 2126
United States Patent and Trademark
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FROM Robert M. Asher  PAGES 6 (INCLUDING THIS SHEET)

PHONE DATE 6/22/2004

RE U.S. Patent Application for **SYSTEM DEVICE AND METHOD FOR
INTERPROCESSOR COMMUNICATION IN A COMPUTER SYSTEM**

OUR FILE 1956/123 U.S.S.N. 09/376,173

COMMENTS

Please see attached.

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Application Serial No.: 09/376,173
Amendment dated June 22, 2004
Reply under 37 CFR 1.116 - Expedited Procedure - Technology Center 2126

DRAFT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant:** Taylor et al.**Att'y Docket:** 1956/123**App. No.:** 09/376,173**Art Unit:** 2126**Filing Date:** August 17, 1999**Examiner:** Zhen, L.

**For: SYSTEM DEVICE AND METHOD FOR INTERPROCESSOR COMMUNICATION
IN A COMPUTER SYSTEM**

CERTIFICATE OF MAILING

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Robert M. Asher

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AMENDMENT UNDER RULE 116**(Expedited Procedure - - Technology Center 2126)****Sir:**

In response to the Final Office Action mailed April 16, 2004, Applicants respectfully traverse the rejection based on newly cited reference Aditham. Applicants respectfully submit that the client-target message passing service of Applicant's invention is not obvious in view of the cited art including the non-analogous collaborative application framework of Aditham. The claims are thus believed to be in condition for allowance.

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Claims 1-17, and 22-26 are rejected under 103 (a) as being unpatentable over Saulpaugh in view of Aditham. Saulpaugh relates to communications between a client task and a server task. "A message is the unit of communication interchange between a client and a server." (Saulpaugh, column 1, lines 26-27) Upon receiving a message issued from a client, the server task performs the required action. While Saulpaugh relates to client-target message passing, the Examiner concedes that the reference fails to teach opening a session over an existing communication link between the client and any of a plurality of target applications that have an open message passing session on the communication link.

Although Aditham does not describe the passing of messages between a client and a target, the Examiner argues that it would have been obvious to combine teachings from Aditham with the system disclosed by Saulpaugh. Aditham does not distinguish between synchronous and asynchronous messaging. Aditham does not specifically relate to performing an action in response to a message. Aditham does not require confirmation be returned to the sender of the message. Aditham merely provides a method for sharing information among disparate application programs. Saulpaugh delivers messages to be acted upon synchronously or asynchronously. In view of the distinct functions between the system of Saulpaugh and the system of Aditham, Applicants submit that there is no incentive, suggestion or motivation for combining the teachings of these two references.

Neither of the cited references discloses opening a "message passing session over a conduit to allow communications with any of a plurality of target applications." Aditham merely provides for sharing information. "Each program sends information to the session object by 'posting', or sending, a message to the session object." (Aditham, col. 5, lines 8-11). There is no disclosure of a conduit for synchronous and asynchronous messages between a client and a target. A program registers an interest with the session object and then informational messages identified with that interest will be sent to the registering program. Even when the Aditham system is used for a private session allowing applications to share confidential information, it is still an information sharing system. The system of Aditham advantageously provides a converter for altering the information message from one format to another to match the needed format of the receiving program. Users create the

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converter programs utilizing the graphical user interface. The resulting converter allows for free exchange of information. There is nothing in Aditham to suggest message passing through a conduit to a target application. There is no discussion of messages of the type covered by Applicants' invention involving requests from a client application to a target application. Therefore, the information sharing program of Aditham is inapplicable to Applicants' invention. Aditham does not disclose or suggest a conduit for sending and responding to requests between a client and any of a plurality of target applications.

There is no motivation to combine Aditham with Saulpaugh. There is no indication of how the communication system of Saulpaugh between a client task and a server task for requesting services and confirming completion of the requested service could benefit from the information sharing software of Aditham. The Examiner points out that in Aditham the collaborative application framework is useful to prevent direct transmission between programs. There is no showing that Saulpaugh wishes to prevent direct transmission between programs. In any case Saulpaugh discloses a message transaction unit that routes messages between a client and a target. There is no suggestion or any reason to resort to the teachings of Aditham which is designed for an entirely different type of message. The Examiner further argues that Aditham permits the use of converters. While Aditham may desire the converters for converting the formats of information suitable for one application into a format suitable for another application, there is no corresponding need expressed in the Saulpaugh system. Moreover, it is not the converter of Aditham which the Examiner seeks to combine with Saulpaugh. Rather, the Examiner argues that the open sharing of information made possible in the collaborative application framework of Aditham could be used in Saulpaugh. But how would these disparate systems be blended? Saulpaugh is not sharing information but rather sending message requests between client and server tasks. Posting of interests as described of Aditham is entirely inapplicable to the system of Saulpaugh.

"A critical step in analyzing the patentability of claims pursuant to Section 103(a) is casting the mind back to the time of invention, to consider the thinking of one ordinary skill in the art, guided only by prior art references and the then-accepted wisdom in the field." (*In*

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re Kotzab, 217 F.3rd 1365, 1369, 55 U.S.P.Q. 2d 1313, 1316 (Fed. Cir. 2000)). It is not seen how one of ordinary skill in the art viewing Saulpaugh and Aditham would see any connection between the two references nor any particular value to using the teachings of one in the other. These systems are directed for use in two entirely different environments and to fulfill different functions. Therefore, Applicants submit that the combination put forth by the Examiner is neither suggested, taught nor disclosed by the references. For all of the above reasons, the claims of the present application are nonobvious in view of the prior art.

Referring more specifically to claims 3 and 15, application blocking logic receives a confirmation from one of the at the least one target applications over the message passing service session. Aditham merely provides for posting information to a session object. It neither provides a conduit nor a means for delivering and acting upon a confirmation. When considering the nonobviousness of claims 3 and 15, it becomes even more apparent that it is improper to combine Aditham with Saulpaugh because the session control logic of Aditham is inapplicable to the messaging service of Saulpaugh. There is no accommodation of application blocking logic and confirmation in the control logic of Aditham. There is no suggestion to combine Aditham and Saulpaugh and even if combined these references do not disclose the claimed session control logic for use with messages and confirmations of the claimed invention. For these reasons, the claims should be allowed.

Claims 6 and 15 also provide for receiving a confirmation and notifying a client application via asynchronous signaling logic. Messaging that instigates a confirmation is simply not a part of the collaborative framework of Aditham. Claims 7, 8, 16 and 17 require a callback routine provided to the message passing service. The session control logic of Aditham provides no accommodation for use with confirmations or callback routines. How can the information sharing system of Aditham provide for awaiting a confirmation or using a callback routine? It really makes no sense to use the session logic of Aditham with the type of messages and requirements of the message passing service of the invention. The session control logic of the invention must open a message passing session over a conduit to allow communications. Aditham fails to do this and thus fails to teach or suggest a session control logic that meets the requirements of any of the claims, particularly claims 3, 6, 7, 8, 12, 15,

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16 and 17. For these additional reasons, the claims should be allowed and the obviousness rejection should be retracted.

Claim 22 recites "opening a session over an existing communication link." The claim further requires "receiving a confirmation from the first target application." There is no suggestion in Aditham that the sessions created therein are suitable for receiving requests and confirmations as required by claim 22. The posting of interests is not sufficient for creating a communication link between a client and any of a plurality of target applications for messages that involve requests and confirmations. There is no indication of how the sessions of Aditham could be used in the system of Saulpaugh to provide communications between a client and a server task. For these additional reasons, claims 22-26 should be allowed.

Applicants believe that all the claims present in the application are patentable over the prior art and are therefore in condition for allowance. The Aditham reference is simply inapplicable, provides insufficient teaching and lacks a showing of how to combine its open session with the teachings of Saulpaugh to arrive at Applicants' invention. The two prior art systems of Saulpaugh and Aditham are simply too different to be combined and they lack a disclosure of the sessions on conduits or communication links of Applicants' invention. Early notice of allowance is respectfully solicited.

Respectfully submitted,

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